

School Discipline

JDAI Research and Policy Series

Young people learn best in safe, respectful communities where caring and culturally competent adults know them well and they develop positive relationships with adults and peers. Over the past few decades, data indicates that school responses to typical adolescent misbehavior has often resulted in their removal from the classroom, and at times has pushed youth into the juvenile justice system. By implementing systemic practices that support safe, caring, and equitable schools, all of our young people will be able to succeed in school and life.

What We Know:

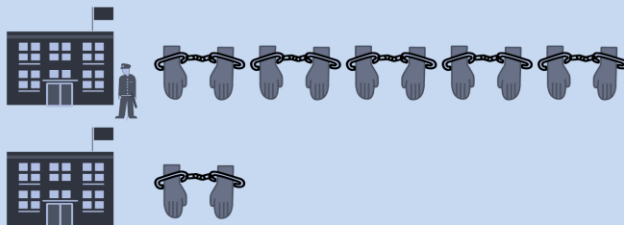
Juvenile Justice involvement negatively impacts educational achievement.

- The vast majority of discretionary suspensions (not mandatory) are for violations of the school code and **minor** offenses.²
- A student arrested in school is **2 times** less likely to complete high school. If that same student appears in court, he or she becomes **4 times** less likely to complete high school.³

Having kids out of class does not help the others succeed.

- A review of research on suspension and expulsion produced no studies that demonstrated a positive impact of reducing school violence.⁴
- Excluding disruptive students from school may actually reinforce negative behavior.⁵
- Little evidence exists to support that removing students frequently from school for disciplinary purposes improves the academic achievement of the other students in the classroom.⁶

Even when controlling for school poverty, schools with a School Resource Officer (SRO) had nearly five times the rate of arrests for disorderly conduct as schools without an SRO.



Yet, the prevalence of SROs in schools has little relationship to reported crime rates.

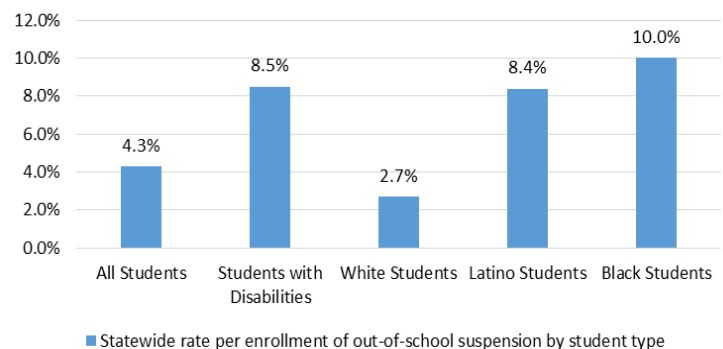
Justice for Families, *Families Unlocking Futures* (2012).

<http://www.justice4families.org/download-report/>.

Quality education is “the very foundation of good citizenship.” – U.S. Supreme Court¹

Rates at Which Students are Suspended in MA

Massachusetts Risk of Out-of-School Suspension by Student Type in 2012-13



2012-13 Department of Elementary and Secondary Education Discipline Data. 2012-2013 Suspension data likely is underreported. Beginning with the 2014 school year, school districts will be under a new obligation to report all regular education suspensions lasting less than 10 days.

Data suggests that disciplinary policies are not applied uniformly.

- Black children represent **18%** of preschool enrollment, but **48%** of preschool children receiving more than one out-of-school suspension.⁷
- Minority students are **4 times** more likely to be expelled.⁸
- Black, Hispanic, and American Indian students are suspended at a rate that is sometimes **double** that of their White peers.⁹
- **20%** of secondary school students **with disabilities** were suspended in one year, compared to **less than 10%** of their peers without disabilities.¹⁰
- Students with disabilities also make up nearly **25%** of students arrested in schools. Even though they make up only **12%** of the student body.¹¹
- LGBT students are up to **3 times** more likely to experience harsh disciplinary practices.¹²
- Students at a higher risk for suspensions are the same students affected by the **achievement gap**.¹³

Promising Practices:

The data is clear. Pushing any of our youth into the juvenile justice system hurts us all. The American Psychological Association urges us to keep students in an active learning environment.¹⁴ The American Academy of Pediatrics similarly holds that the “lack of professional assistance at the time of exclusion from school ... increases the risk of permanent school drop-out.”¹⁵ While Massachusetts has taken steps in the right direction with the recent passage of legislation and regulatory changes, there are continuing areas in which to could improve. The following are national promising practices to reverse the alarming trend of school exclusion.

Recommendations from the Council of State Governments¹⁶

- Removing zero tolerance practices and developing a positive school climate leads to: less violence, high academic achievement, high levels of student engagement, and staff satisfaction. A positive school climate is trauma informed and responds effectively to behaviors resulting from trauma, while incorporating Positive Youth Development practices into the school’s code of conduct.
- Successful collaboration between police, students, parents, and staff enables the school resource officers to be the most effective, while assuring officers’ time is directed to public safety issues and schools are able to respond to misbehavior through teaching and not removing.

Local Practices

- As now required under Massachusetts state law,¹⁷ when it is necessary to remove students from the classroom, they must be given the opportunity to make academic progress during the period of time they are excluded and has expanded due process rights for students.
- Some Massachusetts school districts are in the process of reform, including taking the following steps: reforming their school discipline codes of conduct; evaluating the best use of law enforcement within the school building; holistically creating positive school cultures with the goal of building up students’ success; lessening zero tolerance practices; implementing restorative justice programs for student infractions; and supporting school district wide mediation services.

Sources

¹ *Brown v. Bd. of Educ.*, 347 U.S. 483, 493 (1954).

² Council of State Governments, School Discipline Consensus Report (June 2014). <http://csqjusticecenter.org/youth/projects/school-discipline-consensus-project/>

³ Sweeten, G. (December 2006). Who will graduate? Disruption of high school education by arrest and court involvement, *Justice Quarterly*, 24(4), 462-480.

⁴⁻⁵ Universities Children’s Policy Partnership, *Special Report*, University of Pittsburgh & Pennsylvania State University (1999). <http://www.prevention.psu.edu/pubs/docs/expulsion.pdf>

⁶ Council of State Governments, School Discipline Consensus Report.

⁷ U.S. Department of Education Office for Civil Rights, Civil Rights Data Collection (March 2014).

⁸ Ramirez, R. (December 2012). Harsher Discipline Often Dispensed to Minority, Disabled Students, *The National Journal*.

⁹⁻¹⁰ Council of State Governments, School Discipline Consensus Report.

¹¹ Rich, M. *Administration Urges Restraint in Using Arrest or Expulsion to Discipline Students*. NY Times (Jan. 2014).

http://www.nytimes.com/2014/01/09/us/us-criticizes-zero-tolerance-policies-in-schools.html?hp&_r=0

¹²⁻¹³ Council of State Governments, School Discipline Consensus Report.

¹⁴ American Psychological Association, *Are Zero Tolerance Policies Effective in the Schools? An Evidentiary Review and Recommendations*, 63 American Psychologist 852, 858 (2008).

¹⁵ American Academy of Pediatrics, *Policy Statement: Out-of-School Suspension and Expulsion*, 112 Pediatrics 1206, 1207 (2003) (reaffirmed (2008)).

¹⁶ Council of State Governments, School Discipline Consensus Report, June 3, 2014. <http://csqjusticecenter.org/youth/projects/school-discipline-consensus-project/>

¹⁷ M.G.L. ch. 71, §37h ¾ and 603 CMR 53.

Definitions

School-to-Prison-Pipeline: policies and practices that push children out of classrooms and into the juvenile justice system.

Zero Tolerance Policies: school discipline policies that punish all offenses severely no matter the gravity of the offense and without individual factual evaluation. These policies lead to more exclusions and school based arrests.

In-School Suspension: the student is temporarily removed from his or her regular classes, but remains under direct supervision of school personnel.

Out-of-School Suspension: the student is removed from school temporarily for a specific period of time.

Permanent Expulsion: the student is permanently excluded from a school district

Exclusion: the use of this term varies, but can refer to any time a student is out of their classroom setting but may be able to return in the future, including traditional in-school and out-of-school suspensions, long-term suspensions and short-term expulsions.

School Resource Officer (SRO): a law enforcement officer traditionally employed by local town or city government to provide enforcement and security services to local schools. Some school districts may employ their own security officers, such as in Boston, which may have a similar function, but are employees of the school.

School Climate: the quality and character of school life as it relates to norms and values, interpersonal relations and social interactions, and organizational processes and structures.

Achievement Gap: the difference between test scores of minority and/or low income students and the test scores of their White and Asian peers.